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Docket: AM-5209.D2

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Date: 21 July 2004 Ingrid C. Mallory  
Ingrid C. Mallory

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** Ling CHEN et al.

**Attorneys Docket:** AM-5209.D2

**Serial No.:** 10/693,775

**Art Unit No.:** 2813

**Filed:** October 24, 2003

**Examiner:** T. Nguyen

**For:** "TANTALUM BARRIER LAYER FOR COPPER METALLIZATION"

Commissioner of Patents  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

The owner, **Applied Materials, Inc.**, of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory terms of any patent granted on the instant application, which would extend (1) beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer of prior **Patent No. 6,498,091** and **6,660,622** or (2) beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending **Application Serial Number 10/052,681** filed January 17, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it, the prior patent, and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is

statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record.

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$110** and is to paid as follows:

A check for the amount is enclosed.


The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number **50-0636**.

PTO suggested wording for terminal disclaimer was unchanged.

Respectfully submitted,

Date: 21 July 2004

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